

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MATTHEW TORRES,

Plaintiff,

Docket No.:1:07-cv-09323-RJH

-against-

**VERIFIED ANSWER  
JURY TRIAL DEMANDED**

ST. PETER'S COLLEGE and ALLIEDBARTON  
SECURITY SERVICES, INC.,

Defendant.

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Defendant, ALLIEDBARTON SECURITY SERVICES, LLC I/S/H ALLIEDBARTON SECURITY SERVICES, INC., by its attorneys, SHAFER GLAZER, LLP, upon information and belief, answers the plaintiff's complaint dated August 15, 2007 as follows:

1. Denies any knowledge or information sufficient to form a belief as to the truth of the allegations contained in the paragraph of the complaint herein designated as: 1, 2 and 5.
2. Denies each and every allegation contained in the paragraphs of the complaint herein designated as: 3, 4, 8, 9, 10 and 11.
3. Denies each and every allegation contained in the paragraphs of the complaint herein designated as 6 and 7 except admits that prior to December 8, 2006 ALLIED SECURITY LLC contracted with SAINT PETER'S COLLEGE to provide security services, begs leave to refer to said contract and applicable procedures manuals and refers all questions of law to the court.

**PLEASE TAKE FURTHER NOTICE** that this answering defendant specifically denies each and every allegation not otherwise answered herein above.

**PLEASE TAKE FURTHER NOTICE** that the following AFFIRMATIVE DEFENSES are set forth as follows:

1. Plaintiff's claims against ALLIEDBARTON SECURITY SERVICES, LLC I/S/H ALLIEDBARTON SECURITY SERVICES, INC. are barred, in whole or in part, by the doctrines of contributory negligence.
2. Plaintiff's injuries or damages, if any, were not proximately caused by any act or omission on the part of ALLIEDBARTON SECURITY SERVICES, LLC I/S/H ALLIEDBARTON SECURITY SERVICES, INC.
3. Plaintiff's claimed damages on her claim for negligence must be reduced or precluded by the doctrine of comparative negligence.
4. The Complaint is barred, in whole or in part, by plaintiff's failure to mitigate the claimed damages.
5. Defendants are entitled to a credit for any and all medical bills for which plaintiff either received or is entitled to receive benefits from any other source pursuant to N.J.S.A. 2A:15-97 and any other applicable statute or common law.
6. Plaintiff's injuries, if any, were caused by third persons and specifically Akriah Stephenson and John Does 1-7 over whom these Defendants had no control.
7. New Jersey law applies to this action.
8. The venue for this action is improper, in that the proper venue is New Jersey.

**WHEREFORE**, Defendant demands judgment dismissing the complaint of plaintiff against it, together with the costs and disbursements of this action.

Dated: New York, NY  
November 26, 2007

*Yours, etc.,*  
s/

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Howard S. Shafer (HS5101)  
SHAFER GLAZER, LLP  
Attorneys for Defendant  
ALLIEDBARTON SECURITY  
SERVICES, LLC I/S/H ALLIEDBARTON  
SECURITY SERVICES, INC.  
90 John Street, 6<sup>th</sup> Floor

New York, NY 10038-3202  
(212) 267-0011  
Our File: SPG-00133

TO:

BEAL & BEAL, ESQS.  
Attorneys for Plaintiff  
MATTHEW TORRES  
34 Birchwood Park Crescent  
Jericho, NY 11753  
(516) 938-0877  
File No.

ST. PETER'S COLLEGE  
Attorneys for Defendant  
SELF REPRESENTED  
2641 Kennedy Boulevard  
Jersey City, NJ 07306  
File No.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing On, affirmant served the within *Verified Answer to Complaint, Discovery Demands and Deposition Demands* were mailed by first class mail, postage prepaid this November 26, 2007 to all counsel of record as indicated on the service list below.

s/

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HOWARD S. SHAFER (HS5101)  
For the Firm

**SERVICE LIST**

Mr. Kenneth I. Beal  
Beal & Beal, Esqs.  
34 Birchwood Park Crescent  
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Defendants.

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***VERIFIED ANSWER TO COMPLAINT, DISCOVERY DEMANDS AND DEPOSITION DEMAND***

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**SHAFFER GLAZER, LLP**  
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